



IFW

PATENT
Customer No. 22,852
Attorney Docket No. 04329.3274

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Shigeo TERABE)
) Group Art Unit: 2617
Application No.: 10/801,556)
) Examiner: William D. CUMMING
Filed: March 17, 2004)
)
For: MOBILE COMMUNICATION SYSTEM,) Confirmation No.: 3481
RADIO CONTROL STATION, BASE)
STATION AND MOBILE STATION FOR)
THE SYSTEM, AND PARAMETER)
DETERMINATION METHOD)
EMPLOYING PARALLEL COMBINATORY)
SPREAD-SPECTRUM SCHEME)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In a restriction requirement dated February 23, 2007, the Examiner required restriction under 35 U.S.C. § 121 among claims 18-22 (Group I), claims 10-13 (Group II), claims 14-17 (Group III), and claims 1-9 (Group IV). Applicant provisionally elects to prosecute Group IV, claims 1-9, characterized by the Examiner as drawn to multiplex communication having communication over free space with a repeater having code division, classified in class 370, subclass 320, without traverse.

The Examiner sets a shortened statutory period for reply of one month, which apparently indicates that the Office Action mailed February 23, 2007, is a restriction requirement and not an office action on the merits. However, the Examiner seems to

address certain issues on the merits by indicating that "[t]he listing of references in the specification is not a proper information disclosure statement," and also by objecting to the specification because "[t]he abstract of the disclosure is objected to because of its undue length." (Office Action at 5.)

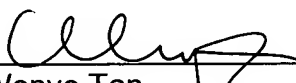
Applicant respectfully submits that the reference listed in the specification has been submitted in a separate information disclosure statement (IDS). Applicant also respectfully requests to respond to the Examiner's objection to the specification in a reply to a subsequent Office Action on the merits.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: March 20, 2007

By: 
Wenye Tan
Reg. No. 55,662